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Bills earmark more spectrum for unlicensed technologies

By JEFFREY SILVA

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WASHINGTON-Rep. Mike Honda (D-Calif.) today plans to announce he will offer companion legislation mirroring a bipartisan Senate bill that could be introduced as early as this week to earmark additional spectrum for Wi-Fi and other emerging unlicensed wireless technologies. While good news for the fledgling unlicensed wireless sector, the House and Senate bills could further complicate efforts to forge a final U.S. position on 5 GHz before this summer's World Radiocommunication conference in a way that balances industry's need for more frequencies and Pentagon requirements to protect military radar from interference.

The Internet Advancement Act, as drafted in October and cosponsored by Sens. George Allen (R-Va.) and Barbara Boxer (D-Calif.), calls for the allocation of at least 255 megahertz of continuous spectrum below the 5 GHz band and 20 megahertz or more below the 1 GHz band for unlicensed wireless broadband use.

Spokespeople for Allen and Boxer said the bill would be introduced soon, though an industry source familiar with the matter could not be pinned down on a date.

Late last week, however, there were indications there might be a slight delay in order to rework the bill. Indeed, the draft bill's mandate for an immediate allocation of 200-plus megahertz may not be possible in the spectrum-congested universe. Allen and Boxer are not major telecom players on Capitol Hill. The lawmakers may have been persuaded to revise the legislation to have the initiative taken seriously by colleagues.

Behind the political momentum for the bill are powerful, high-tech lobbying forces. Heavyweights like Microsoft Corp., Intel Corp., Cisco Systems Inc., Hewlett-Packard Co., Sun Microsystems Inc. and Agere Systems, as well as small- and medium-sized startups see potentially lucrative growth in short-distance wireless connectivity.

On Friday, Colin Crowell, an aide to Rep. Edward Markey (D-Mass.), said the ranking House telecom subcommittee member likely will reintroduce a bill next month that seeks, among other things, more unlicensed airwaves for unlicensed technologies.

Federal Communications Commission Chairman Michael Powell is bullish on unlicensed wireless technologies, a posture reflected in an FCC Spectrum Task Force report last November. The Senate Commerce Committee was considering holding a hearing Thursday on the report, but it appears doubtful lawmakers will pull it off. Dr. Paul Kolodzy, who was chairman of the FCC task force but has since left the agency, will now likely testify when the panel convenes. On Tuesday, Senate Commerce Committee Chairman John McCain (R-Ariz.) will oversee a hearing on the state of competition in the telecom industry.

"We expect some very significant developments quite possibly for the license-exempt sector this week," said Andrew Kreig, president of the Wireless Communications Association. WCA's Technical Symposium & Business Expo kicks off this week in San Jose, where Honda is expected to make his remarks.

Some unlicensed advocates have argued that government support of Wi-Fi development could spur a more robust broadband industry in the United States.

Congress and the FCC are not the only venues where unlicensed spectrum policy is playing out, however.

Arguably more important, and critical to unlicensed wireless development in the U.S., is whether WRC-a radio regulatory unit of the International Telecommunication Union-approves a worldwide allocation of 5 GHz for Wi-Fi and other unlicensed technologies. It is the most contentious issue on the agenda of this summer's WRC-2003.

To date, the Bush administration has sided with the Department of Defense over the high-tech industry on the 5 GHz issue. DoD wants interference protection for military radar with respect to previously authorized unlicensed operations in the lower 5 GHz band. The Bush administration also favors postponing any discussion

of a new global allocation in the middle of the 5 GHz band until the WRC meets again in 2007.

Little changed on the issue at last month's pre-WRC meeting in Buenos Aires between the U.S. and its regional partners, according to administration and industry sources. That is not altogether insignificant. Because Europe-which strongly supports a hefty 5 GHz allocation for unlicensed applications and is at odds with the U.S. on various trade matters-tends to vote as a bloc, failure of the U.S. to win support of the Americas on the item could lead to an embarrassing defeat for the Bush administration in Geneva.

Meantime, technical papers are moving back and forth between industry and DoD in hopes that a deal can be brokered.

"There's a win-win opportunity here," said Peter Pitsch, communications policy director for Intel. Failure to reach a reasonable compromise, according to Pitsch, could result in a "lose-lose" situation whereby industry loses a chance to obtain more unlicensed spectrum and the military does not get the level of interference protection it seeks.

Federal policy-makers are pinning their hopes on a grueling negotiation process that will continue over the next six months. "We're continuing to work on the 5 GHz issue and we are hopeful we will be able to resolve differences through the process that leads up to the WRC," said Nancy Victory, director of the National Telecommunications and Information Administration.

Edmond Thomas, chief of the FCC's Office of Engineering and Technology, echoed Victory's remarks. "It's still being worked," said Thomas. "All the guilty parties are continuing to horse trade. It's a work in progress."

With only six months to WRC-2003, President Bush has yet to appoint an ambassador to head the U.S. delegation. However, sources say the administration has settled on Janice Obuchowski-a former telecom policy-maker and NextWave Telecom Inc. executive-and is completing a background check.

The State Department did not return a call Friday for comment.

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